

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

JUNE 5, 2012

The following is a summary of the June 5, 2012 Meeting:

- I. Meeting called to order at 9:00 AM by Randy Moore, Chairman. Members present were Randy Moore, Joseph Buchanan, Gerald Kendrick, Arvil McConnell and Ricky O'Quinn. Also present was Mary Gibson, Regulatory Boards Administrator.**
- II. Opening statement delivered by Randy Moore, Chairman.**
- III. Motion made and seconded to accept June 5, 2012, meeting agenda and approve May 1, 2012, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

V. Open Agenda

Board Administrator Mary Gibson informed the Board of her upcoming June meeting with the Board's established counseling agencies. A primary concern that the agencies have addressed to Ms. Gibson is that the suboxone treatment programs in which several miners are enrolled are not meeting the criteria established by the Board to sufficiently address the client's needs through a stabilized program to include counseling, assessments and drug testing. The Board through recent cases perceives that many suboxone treatments are through individual physicians who are not receptive to conform to the Board's requirements of monthly reporting nor the accountability and expense. In order to set a better defined policy, the Board will seek legal clarity as to whether the Board can direct individuals to treatment OTHER than what they have sought and enrolled themselves. Ms. Gibson can then convey this to our community based organizations and the Board.

Ms. Gibson clarified that for cases reported from Kentucky and West Virginia, the Board is only required to suspend and revoke certifications. Normally, treatment is initiated in the state where they are working, and therefore, no grant money is expended for those individuals.

VI. Next Meeting

Next meeting will be July 3, 2012.

VII. Adjournment

Meeting adjourned at 3:15 PM.